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19 IN THE UNITED STATES DISTRICT COURT
20 FOR THE NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 **THE STATE OF CALIFORNIA, et al.,**

23 Plaintiffs,

24 v.

25 **INFINEON TECHNOLOGIES AG, et al.,**

26 Defendants.

27 **THIS DOCUMENT RELATED TO:**

28 **ALL INDIRECT PURCHASER ACTIONS**

Master File No. M-02-1486 PJH

MDL No. 1486

Case No. C 06-4333 PJH

JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER
REGARDING DEFENDANTS'
NON-OPPOSITION TO
PLAINTIFFS' MOTION FOR
LEAVE TO FILE ~~[PROPOSED]~~
THIRD AMENDED COMPLAINT

29 Plaintiff States and Defendants Nanya Technology Corp. and Nanya Technology USA
30 (collectively "Nanya"), NEC Electronics America, Inc. ("NEC"), Mosel Vitelic Inc. and Mosel
31 Vitelic Corp. (collectively "Mosel"), Infineon Technology AG and Infineon Technology North
32 America Corp. (collectively "Infineon"), Hynix Semiconductor Inc. and Hynix Semiconductor
33 America Inc. (collectively "Hynix"), Micron Technology, Inc. and Micron Semiconductor

1 Products, Inc. (collectively "Micron"), and Elpida Memory, Inc. and Elpida Memory (USA) Inc.
2 (collectively "Elpida"), by and through their counsel, jointly submit this stipulation regarding
3 Defendants' non-opposition to Plaintiff States' Motion for Leave to File [Proposed] Third
4 Amended Complaint.

5 IT IS HEREBY STIPULATED by the parties, by and between their counsel and subject to
6 Court approval, that without waiving the right to assert any and all defenses available to
7 Defendants as to the [Proposed] Third Amended Complaint, Defendants will not oppose
8 Plaintiffs' Motion for Leave to File [Proposed] Third Amended Complaint. Defendants will have
9 thirty (30) days from the Court's order filing the [Proposed] Third Amended Complaint pursuant
10 to this stipulation to respond by answer or by motion to that complaint.

11 Dated: October 22, 2007
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/s/

STEVEN H. BERGMAN, ESQ.,

*Attorneys for Hynix Semiconductor Inc. and
Hynix Semiconductor America Inc. and, for
purposes of this stipulation only, signing on
behalf of all other defendants*

29
30 /s/
31 EMILIO E. VARANINI, ESQ.,
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33 *Liaison Counsel for Plaintiff States*
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ORDER

Pursuant to the parties' stipulation, IT IS ORDERED THAT the [PROPOSED] THIRD AMENDED COMPLAINT be filed. Defendants shall have thirty (30) days from the date this order is filed to respond to the Complaint by answer or by motion.

Dated: October 24, 2007

